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REMARKS

Claims 1-33 are currently pending in the subject application and are presently under consideration. A clean version of all pending claims is found at pages 2-10. Applicants' representative acknowledges with appreciation the Examiner indicating claims 15-17, and 28 as being allowable if recast in independent form to include all limitations of the base claim and any intervening claims. It is believed such amendments are not necessary in view of the below-noted deficiencies of the cited references *vis a vis* the claimed invention. However, applicants' representative reserves the option to amend such claims into independent form at a later date, if necessary. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-14, 20-27, and 30-33 Under 35 U.S.C. §102(b)

Claims 1-14, 20-27, and 30-33 stand rejected under 35 U.S.C. §102(b) as being anticipated by Barker *et al.* (U.S. 4,739,477). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Barker *et al.* does not teach or suggest each and every element of the claimed invention.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaa Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The subject invention relates to dynamic pagination for an electronic document. As noted in the specification, for example, dynamic pagination is utilized to determine page break locations for a particular display device while processing an electronic document at the time of displaying the document. (*See* pg. 12, ln. 1-18). The document desirably does not itself having internal page breaks denoted. (*See* pg. 7, ln. 15-18). On the contrary, Barker *et al.* utilizes static pagination where page break locations are determined while creating or after editing a document. (*See* col. 12, ln. 1-67).

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In particular, Barker *et al.* does not teach or suggest processing and/or entering and/or pouring a *predetermined segment* of the document as recited in independent claims 1, 6, 12, 20, 23, 26, and 30. Furthermore, Barker *et al.* does not teach or suggest *determining a plurality of page breaks within a predetermined segment* as recited in independent claims 1, 6, 20, 23, and 30 or *pouring text of the segment* into a series of predetermined slots as recited by independent claims 12 and 26. Barker *et al.* discloses that when the need for changed page break location is found, then the document is subject to pagination on "the current page and the succeeding pages as necessary." (See col. 14, ln. 48-50; col. 12, ln. 18-43; col. 14, ln. 46-54). The Examiner states that Barker *et al.* teaches "[w]henEVER a page, containing a superblock of data, in the document is edited, and the data in the page is reformatted or reflowed onto a new page, the rest of the document from that point forward is dynamically broken up or formatted into several pages." (See Office Action dated Aug. 28, 2003, pg. 6). This statement further illustrates the differences between the applicants' invention and the prior art, since Barker *et al.* discloses that page breaks are not determined for a *predetermined segment* of the document. Instead, Barker *et al.* discloses that after editing, the "rest of the document from that point forward is dynamically broken up or formatted into several pages." Thus, Barker *et al.* teaches pagination of an entire document and/or remainder of a document rather than pagination of a *predetermined segment* as in applicants' claimed invention. Applicants' invention, by only entering one predetermined segment into memory at a given time and only paginating the one predetermined segment into pages, conserves memory and reduces processing time. (See pg. 8, ln. 20 – pg. 9, ln. 3).

In view of at least the above, it is readily apparent that Barker *et al.* does not anticipate or suggest the subject invention as recited in claims 1, 6, 12, 20, 23, 26, and 30 (and claims 2-5, 7-11, 12-14, 21-22, 24-25, 27, and 31-33 which respectively depend there from). This rejection should be withdrawn.

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II. Rejection of Claims 18, 19, and 29 Under 35 U.S.C. §103(a)

Claims 18, 19, and 29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Barker et al.* (U.S. 4,739,477), in view of *Chirokas et al.* (U.S. 5,111,397). It is submitted that this rejection should be withdrawn for at least the following reasons. *Barker et al.* and *Chirokas et al.*, alone and/or in combination, fail to teach or suggest every limitation set forth in the subject claims.

As discussed *supra*, *Barker et al.* does not anticipate or suggest all of the limitations of independent claims 12 and 26, from which claims 18, 19, and 29 respectively depend. Additionally, *Chirokas et al.* does not make up for these deficiencies of *Barker et al.* Accordingly, this rejection should be withdrawn.

III. CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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